

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

0 Valuation of Security ☒ 1 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
John S. Agugliaro

Case No.: 21-18456  
Judge: Gravelle

Debtor(s)

**Chapter 13 Plan and Motions**

☒ Original ☐ Modified/Notice Required Date: March 7, 2022  
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: AGG

Initial Debtor: JSA

Initial Co-Debtor:

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 103.00 per month to the Chapter 13 Trustee, starting on 3/8/2022 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☐ Future earnings
- ☒ Other sources of funding (describe source, amount and date when funds are available):  
Pension and social security

c. Use of real property to satisfy plan obligations:

☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property:  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:  
Description:  
Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection ☒ NONE**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

### Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,000.00
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments on Principal Residence:** ☒ **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:** ☒ **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**c. Secured claims excluded from 11 U.S.C. 506:** ☒ **NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☐ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Isle of Bali II Condominium Association	Timeshare (week 19)	\$500.00	\$0.00
Isle of Bali II Condominium Association	Timeshare (week 51)	\$500.00	\$1,591.00

**f. Secured Claims Unaffected by the Plan** ☐ NONE

The following secured claims are unaffected by the Plan:

Debtor shall made regular payments to Quicken Loans and Hyundai Capital America outside the Plan.

**g. Secured Claims to be Paid in Full Through the Plan:** ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims** ☐ NONE

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

☐ Not less than \_\_\_\_\_ percent

☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
Sallie Mae	Student Loan	Paid outside Plan by debtor's daughter	\$0.00



**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.



**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority and Other Administrative Claims
- 3) Secured Claims
- 4) General Unsecured Claims

**d. Post-Petition Claims**

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification ☒ NONE**

**NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 3/7/2022

/s/ John S. Agugliaro  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

Date: 3/7/2022

/s/ Andrew G. Greenberg, Esq.  
Attorney for Debtor(s)

In re:  
John S. Agugliaro  
Debtor

Case No. 21-18456-CMG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Mar 08, 2022

User: admin  
Form ID: pdf901

Page 1 of 3  
Total Noticed: 49

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 10, 2022:

Recip ID	Recipient Name and Address
db	+ John S. Agugliaro, 1290 Sioux Road, North Brunswick, NJ 08902-1614
519347472	+ AMEX/DSNB, 9111 Duke Blvd., Mason, OH 45040-8999
519347474	+ Bank of America, 4909 Savarese Circle, Tampa, FL 33634-2413
519347473	+ Bank of America, PO Box 982238, El Paso, TX 79998-2238
519347486	+ Discover Bank, 502 E Market St, Greenwood, DE 19950-9700
519347487	Equiant Financial Svcs, 5401 N Pima Rd., Ste 150, Chandler, AZ 85226
519347488	+ FNB/Omaha, POB 3412, Omaha, NE 68197-0001
519519885	+ First National Bank of Omaha, 1620 Dodge St Stop Code 3129, Omaha Ne 68197-0002
519347492	+ Isle of Bali II Condominium Association, PO Box 8526, Coral Springs, FL 33075-8526
519347496	+ Kia Motors Finance, 4000 MacArthur Blvd, Ste 1000, Newport Beach, CA 92660-2544
519347501	+ Nikki Agugliaro, 118 S 8th Avenue, Highland Park, NJ 08904-3106
519347503	+ Raritan Bay FCU, 491 Raritan Street, Sayreville, NJ 08872-1442
519347515	+ WF Bank, POB 14517, Des Moines, IA 50306-3517
519347514	+ Wells Fargo, PO Box 14517, Des Moines, IA 50306-3517
519520786	Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 15

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Mar 08 2022 20:42:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Mar 08 2022 20:42:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
519347471	+ Email/PDF: bncnotices@becket-lee.com	Mar 08 2022 20:43:53	Amex, PO Box 297871, Fort Lauderdale, FL 33329-7871
519347475	+ Email/Text: BarclaysBankDelaware@tsico.com	Mar 08 2022 20:41:00	Barclays Bank, PO Box 8803, Wilmington, DE 19899-8803
519347480	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:54	CBNA, PO Box 6497, Sioux Falls, SD 57117-6497
519347476	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 08 2022 20:43:52	Capital One, PO Box 31293, Salt Lake City, UT 84131-0293
519347477	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 08 2022 20:43:57	Capital One Bank, PO Box 31293, Salt Lake City, UT 84131-0293
519516159	Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:50	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
519347481	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:50	Citicards/CBNA, PO Box 6241, Sioux Falls, SD 57117-6241
519347482	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 08 2022 20:41:00	ComenityCB/Haband, POB 182120, Columbus,

District/off: 0312-3

User: admin

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Date Rcvd: Mar 08, 2022

Form ID: pdf901

Total Noticed: 49

			OH 43218-2120
519347484	Email/Text: mrdiscen@discover.com	Mar 08 2022 20:41:00	Discover, PO Box 15316, Wilmington, DE 19850
519347500	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:54	Macys/DSNB, PO Box 8218, Mason, OH 45040
519347483	+ Email/Text: mrdiscen@discover.com	Mar 08 2022 20:41:00	Discover, POB 3025, New Albany, OH 43054-3025
519516293	Email/Text: mrdiscen@discover.com	Mar 08 2022 20:41:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
519347489	+ Email/Text: EBNBKNOT@ford.com	Mar 08 2022 20:42:00	Ford Motor Credit, PO Box 542000, Omaha, NE 68154-8000
519347490	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:54	Goodyear/CBNA, PO Box 6497, Sioux Falls, SD 57117-6497
519347491	+ Email/Text: Hcabankruptcy-courtntices@hcamerica.com	Mar 08 2022 20:42:00	Hyundai Capital America, 4000 MacArthur Blvd, Newport Beach, CA 92660-2558
519347494	Email/PDF: ais.chase.ebn@aisinfo.com	Mar 08 2022 20:43:57	JPMCB Card, POB 15369, Wilmington, DE 19850
519347495	Email/PDF: ais.chase.ebn@aisinfo.com	Mar 08 2022 20:43:47	JPMCB Home, 700 Kansas LN, Monroe, LA 71203
519347497	+ Email/Text: PBNCNotifications@peritusservices.com	Mar 08 2022 20:41:00	Kohls/Capital One, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-5660
519347498	+ Email/Text: Documentfiling@lciinc.com	Mar 08 2022 20:41:00	Lending Club Corporation, 21 Stevenson, Suite 300, San Francisco, CA 94105-2706
519347499	Email/Text: camanagement@mtb.com	Mar 08 2022 20:41:00	M & T Bank, 1 Fountain Plaza, 4th Floor, Buffalo, NY 14203
519347502	+ Email/Text: bankruptcyteam@quickenloans.com	Mar 08 2022 20:42:00	Quicken Loans, 1050 Woodward Avenue, Detroit, MI 48226-3573
519347507	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2022 20:43:57	SYNCB/Home, PO Box 965036, Orlando, FL 32896-5036
519347508	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2022 20:43:53	SYNCB/Lowes, PO Box 965005, Orlando, FL 32896-5005
519347509	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2022 20:43:57	SYNCB/PC Richard, PO Box 965036, Orlando, FL 32896-5036
519347510	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2022 20:43:48	SYNCB/Walmart, PO Box 965024, Orlando, FL 32896-5024
519347504	+ Email/Text: ebn_bkrt_forms@salliemae.com	Mar 08 2022 20:42:00	Sallie Mae, PO Box 3229, Wilmington, DE 19804-0229
519347505	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:50	Sears/CBNA, PO Box 6283, Sioux Falls, SD 57117-6283
519347506	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:54	Sears/CBNA, PO Box 6189, Sioux Falls, SD 57117-6189
519347511	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2022 20:43:53	Synchrony Bank, POB 960061, Orlando, FL 32896-0061
519348733	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2022 20:43:54	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
519347512	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2022 20:43:54	THD/CBNA, PO Box 6497, Sioux Falls, SD 57117-6497
519347513	+ Email/Text: bnc-bluestem@quantum3group.com	Mar 08 2022 20:42:00	Webbank/Fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 34

District/off: 0312-3

User: admin

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Date Rcvd: Mar 08, 2022

Form ID: pdf901

Total Noticed: 49

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
519347478	*+	Capital One Bank, PO Box 31293, Salt Lake City, UT 84131-0293
519347479	*+	Capital One Bank, PO Box 31293, Salt Lake City, UT 84131-0293
519347485	*P++	DISCOVER FINANCIAL SERVICES LLC, PO BOX 3025, NEW ALBANY OH 43054-3025, address filed with court; Discover, PO Box 15316, Wilmington, DE 19850
519347493	*+	Isle of Bali II Condominium Association, PO Box 8526, Coral Springs, FL 33075-8526

TOTAL: 0 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 10, 2022

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 7, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Andrew G. Greenberg	on behalf of Debtor John S. Agugliaro a.greenberglawfirm@verizon.net
David Wolff	on behalf of Trustee David Wolff dwtrustee@verizon.net NJ50@ecfcbis.com
Denise E. Carlon	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5